

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HADLACZKY *et al.*

Serial No.: 09/096,648

Filed: June 12, 1998

For: *ARTIFICIAL CHROMOSOMES,
USES THEREOF AND METHODS
FOR PREPARING ARTIFICIAL
CHROMOSOMES*

Art Unit: 1632

Examiner: Unassigned

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Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Transmitted herewith, via hand delivery, is an Information Disclosure Statement, Forms PTO-1449 (24 pages) and cited references for filing in connection with the above-identified application. Because this Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account Number 08-1641, as stated below:

(X) The Commissioner is hereby authorized to charge the fee for the Information Disclosure Statement and any other fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 08-1641. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE

By: 
Stephanie L. Seidman
Registration No. 33,779

Date: 6/08/99
Attorney Docket No. 24601-402A
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**INFORMATION DISCLOSURE STATEMENT
IN ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Because this Information Disclosure Statement is filed prior to receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 08-1641.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (24 pages) are provided herewith, along with copies of the references which are marked with the symbol "##" on the Forms PTO-1449. Copies of the remaining references (*i.e.*, those which are not labeled with the symbol "##") listed on the Form PTO-1449 are not provided herewith as they

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INFORMATION DISCLOSURE STATEMENT

have been previously provided in connection with U.S. Serial No. 08/629,822, which is relied upon for an earlier filing date in accordance with 35 U.S.C.

§120. The documents that are cited in connection with this application are in the English language, with the exception of item DP on the Form PTO-1449, *i.e.*, International PCT Patent No. WO 94/24300. International PCT Patent No. WO 94/24300, which is in the French language, has been provided with an English language Derwent abstract, listed as item GC on the Form PTO-1449. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant also makes known to the Examiner the following related applications:

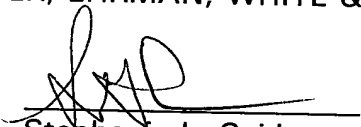
<u>U.S.S.N.</u>	<u>Inventor</u>	<u>Filing Date</u>	<u>Status</u>
08/759,558	HADLACZKY	9/13/91	Issued on 2/22/94 (5,288,625)
07/521,073	HADLACZKY	5/9/90	Abandoned
07/892,487	HADLACZKY	6/3/92	Abandoned
08/080,097	HADLACZKY	6/23/93	Abandoned
08/375,271	HADLACZKY	1/19/95	Issued on 1/27/98 (5,712,134)
08/734,344	HADLACZKY	10/21/96	Issued on 4/6/99 (5,891,691)
08/629,822	HADLACZKY <i>et al</i>	4/10/96	Pending
08/682,080	HADLACZKY <i>et al</i>	7/15/96	Issue fee paid on 11/5/98
08/695,191	HADLACZKY <i>et al</i>	8/7/96	Issue fee paid on 11/5/98
08/835,682	HADLACZKY <i>et al</i>	4/10/97	Pending

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INFORMATION DISCLOSURE STATEMENT

<u>International Applications</u>	<u>Filing Date</u>
Canada 2,078,189-1	9/14/92
Canada 2,042,093-6	5/8/91
Europe 92115694.9	9/14/92
Europe 91304160.4	5/9/91
Japan 245206/92	9/14/92
Japan 199732/91	5/9/91
PCT/US97/05911 (Issued as WO 97/40183)	4/10/97

Applicant respectfully requests that the Examiner review the foregoing references and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE

By: 
Stephanie L. Seidman
Registration No. 33,779

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